

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**SIMON L. WERTENBERGER,**

**Defendant.**

## ORDER

On September 17, 2012, Chief United States Magistrate Judge Robert E. Larsen conducted an evidentiary hearing on Defendant's motion. On October 17, 2012, Magistrate Judge Larsen issued his Report and Recommendation (Doc. #44). No objections have been filed by Defendant to Magistrate Judge Larsen's Report and Recommendation.

Upon careful and independent review of the pending motion, as well as the applicable law, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of Chief United States Magistrate Judge Robert E. Larsen.

Accordingly, it is hereby ORDERED that Defendant's Motion to Suppress Evidence (Doc. #32) is OVERRULED and DENIED.

SO ORDERED.

s/ Gary A. Fenner  
GARY A. FENNER, JUDGE  
UNITED STATES DISTRICT COURT

DATED: November 1, 2012